

AN ORDINANCE **97310**

AUTHORIZING A PORTION OF THE DOWNTOWN AREA TO BE DESIGNATED AS A CLEAN ZONE IN ORDER TO REGULATE CERTAIN COMMERCIAL ACTIVITY WITHIN PUBLIC PROPERTY OR RIGHTS-OF-WAY FROM MARCH 25, 2003 THROUGH APRIL 2, 2003 IN PREPARATION FOR HOSTING THE 2003 NCAA MEN'S SOUTH REGIONAL BASKETBALL TOURNAMENT; DESIGNATING THE GEOGRAPHICAL BOUNDARIES FOR THE CLEAN ZONE; PROVIDING FOR SPECIAL CLEAN ZONE LICENSE PERMITS; AND ESTABLISHING CRIMINAL PENALTIES TO BE IMPOSED FOR VIOLATION OF THIS ORDINANCE WITH A FINE NOT TO EXCEED \$2,000.00.

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WHEREAS, the City of San Antonio has been selected to host the 2003 NCAA Men's South Regional Basketball Tournament the "Event"); and

WHEREAS, as the NCAA Men's Basketball Tournament is one of the premiere sporting events in the world, this event will attract tens of thousands of visitors to the City, generate positive media exposure and create significant economic impact; and

WHEREAS, pursuant to the City's powers as a Home Rule Municipality, it is in the best interest of the City to regulate this unique event to preserve the health and safety of all citizens, visitors and participants, as well as preserve the aesthetic qualities of the downtown area, and therefore, the City has determined it is necessary to designate a Clean Zone within specific boundaries in the downtown district between March 25, 2003 and April 2, 2003; and

WHEREAS, this Ordinance shall be effective only for the duration of the dates specified and shall not effect the operations of the City outside the specified dates and boundaries of this event; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. It is hereby authorized that a portion of the downtown district of San Antonio shall be designated a Clean Zone from March 25, 2003 through April 2, 2003, in order to prepare for and host the 2003 NCAA Men's South Regional Basketball Tournament.

SECTION 2. The Clean Zone shall be in effect for eleven (11) consecutive days, beginning at 12:01 a.m. on Tuesday, March 25, 2003 and continuing until midnight at the close of Wednesday, April 2, 2003.

SECTION 3. The geographical boundaries of the Clean Zone shall consist of an area described and bounded as follows: the area beginning at the interchange between Frio

Street and West Martin Street; thence eastward along West Martin Street to North Saint Mary's Street; thence southward and eastward along McCullough Avenue and Nolan Street to North Hackberry Street; thence southward along North Hackberry and South Hackberry Street to Florida Street; thence westward and northward along Florida Street to Labor Street; thence northward along Labor Street to East Durango Boulevard; thence northward and westward along East Durango Boulevard, West Durango Boulevard and Matamoros Street to South Frio Street; thence northward along South Frio Street to the interchange between Frio and West Martin Street. The Clean Zone shall encompass the area within the boundaries describe above, including the entire area of the boundary streets, and all public property and right-of-way, which is adjacent to, or about, the boundary streets described. A map showing the geographical boundaries of the Clean Zone is attached hereto and incorporated herein as Attachment I.

SECTION 4. A person shall not occupy public property or rights-of-way within the Clean Zone for the purposes of selling, distributing or offering for sale or free of charge, services or goods, including, but not limited to food, drinks, flowers, plants, tickets, merchandise or souvenirs without authorization prescribed by this section. The Clean Zone is designated and authorized subject to the following conditions:

- (1) Any person who wishes to sell or vend food, frozen food, flowers, souvenirs or other merchandise, erect temporary signage, inflatables, banners flags, pennants, wind or "sandwich board" signs or project images, or otherwise engage in temporary promotional or commercial activities of any kind, including sampling, located within the geographical boundaries and the dates of the Clean Zone, and from a location which is on City property or rights-of-way, must:
 - a. Seek and acquire a recommendation of the San Antonio Local Organizing Committee, as Sponsor; and
 - b. Acquire a "Clean Zone License" which shall be:
 - i. Coordinated through the Parks and Recreation Department; then
 - ii. Approved and signed by the Staff Liaison, which shall be an Assistant to the City Manager; then
 - iii. Issued by the appropriate Department of the City (e.g. Parks and Recreation, Health and Building Inspections); and
 - iv. At a cost standard for the type of permit sought (e.g. food, merchandise and signage).
- (2) There shall be no "foot" or mobile vending Clean Zone Licenses issued. All approved Clean Zone vendors will be assigned to a fixed location for the duration of the Event.
- (3) Revenues collected from the sale of the Clean Zone license permits shall be deposited in Fund 11-000000 (General Fund) in Index Code 011940 entitled "Downtown Peddler's License/Permit."

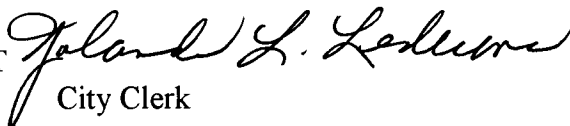
SECTION 5. The "Clean Zone License" shall specify the exact location of the licensee's operation, and the licensee shall comply with all the provisions of the City Code, and state and federal laws, including, but not limited to, the City Health and Safety Code, and all applicable state and local health and safety laws and regulation.

SECTION 6. Any person who engages in the activity defined in Section 4 without the prior recommendation of the Sponsor and a "Clean Zone License" issued by the City will be subject to immediate impoundment of all tangible property related to the unauthorized commercial activity, and may be subject to prosecution for a Class C misdemeanor and a fine not to exceed \$2,000.00.

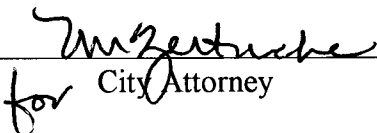
SECTION 7. Notwithstanding any other provision of the Ordinance, any person authorized to conduct business within the geographical boundaries of the Clean Zone is hereby authorized to engage in its authorized, licensed, contracted, permitted or certificated activity during the time period specified for the Clean Zone, and is not required to obtain a special event license. However, if any such person already authorized to conduct business wishes to extend its authorized, licensed, contracted, permitted or certificated activity, then a "Clean Zone License" shall be required to conduct such activity extension. No person shall be authorized to sell or distribute illegal, non-licensed, or unauthorized merchandise, regardless of whether that person obtains a "Clean Zone License".

SECTION 8. This ordinance shall take effect on the tenth (10th) day after the date of passage hereof.

PASSED AND APPROVED this 13th day of March, 2003

ATTEST 
City Clerk


MAYOR
EDWARD D. GARZA

APPROVED AS TO FORM: 
for City Attorney